

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JENNIFER A. CONNORS,

PLAINTIFF

V.

DARTMOUTH HITCHCOCK MEDICAL CENTER
DARTMOUTH MEDICAL SCHOOL,
MARY HITCHCOCK MEMORIAL HOSPITAL
DARTMOUTH-HITCHCOCK CLINIC and
TRUSTEES OF DARTMOUTH COLLEGE

Case No.: 2:10-cv-94

DEFENDANTS' STATEMENT OF UNDISPUTED MATERIAL FACTS

NOW COME the Defendants, Dartmouth Hitchcock Medical Center, Dartmouth Medical School, Mary Hitchcock Memorial Hospital, Dartmouth-Hitchcock Clinic and Trustees of Dartmouth College and hereby submit this Statement of Undisputed Material Facts pursuant to Local Rule 56(a).

1. Prior to her dismissal, Jennifer Connors, M.D., had been a psychiatry resident in Dartmouth-Hitchcock Medical Center's graduate medical education program. (Second Amended Complaint and Jury Demand (Doc. No. 50), ¶ 15.)

2. Dr. Connors received written and verbal notice from Ronald Green, M.D., of her dismissal from the psychiatry residency program at a meeting with Dr. Green on January 28, 2009. (Connors, pp. 46-49; Letter from Ronald Green, M.D., to Jennifer Connors, M.D., dated January 28, 2009, attached to Defendants' Memorandum of Law as Exhibit G.)

3. Dr. Connors filed a charge of discrimination with the Equal Employment Opportunity Commission ("EEOC") by letter dated December 7, 2009.¹ (Plaintiff's Memorandum in Opposition to Defendants' Motion for Judgment on the Pleadings Regarding Plaintiff's Discrimination Claim (Doc. No. 40), p. 6.)

4. December 7, 2009, is three-hundred and thirteen (313) days after Dr. Connors received notice of her termination on January 28, 2009.

5. There is no evidence in the record that supports the existence of a basis to excuse Dr. Connors' failure to file her EEOC charge within the statutorily prescribed 300-day deadline.

Respectfully submitted,

DARTMOUTH HITCHCOCK MEDICAL
CENTER
DARTMOUTH MEDICAL SCHOOL
MARY HITCHCOCK MEMORIAL
HOSPITAL
DARTMOUTH-HITCHCOCK CLINIC and
TRUSTEES OF DARTMOUTH COLLEGE

Dated: April 15, 2011

By /s/ William D. Pandolph
William D. Pandolph
Edward M. Kaplan (Pro Hac Vice)
Sulloway & Hollis, P.L.L.C.
9 Capitol Street
Concord, NH 03301
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¹ For the purposes of this Motion only, Defendants do not contest the sufficiency of Plaintiff's December 7, 2009, letter to the U.S. Equal Employment Opportunity Commission, New York office, as a "charge" filed pursuant to 42 U.S.C. § 2000e-5(e)(1).

CERTIFICATE OF SERVICE

Served electronically:

Norman E. Watts, Esquire
Watts Law Firm, PC
PO Box 270
Woodstock, Vermont 05091.

Dated: April 15, 2011

By /s/ William D. Pandolph
William D. Pandolph